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PTO/SB/21 (08-03)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/800,371
		Filing Date	March 12, 2004
		First Named Inventor	Bai, Yu Sheng
		Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission	5	Attorney Docket Number	021822-000500US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard, PTO/SB/08A, 08B 4 reference copies
<input checked="" type="checkbox"/> Information Disclosure Statement		Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Daniel Mao	
Signature		
Date	May 17, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

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TOWNSEND and TOWNSEND and CREW LLP

By:

James Yang

PATENT
Attorney Docket No.: 021822-000500US
Client Reference No.: 03FW04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yu Sheng Bai

Application No.: 10/800,371

Filed: March 12, 2004

For: SYSTEM AND METHOD FOR
SUBCARRIER MODULATION AS
SUPERVISORY CHANNEL

Examiner: To Be Assigned

Art Unit: To Be Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

Yu Sheng Bai
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representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

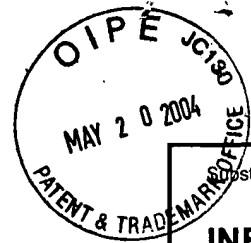
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Daniel Mao
Reg. No. 51,995

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Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO				Complete if Known	
				<i>Application Number</i>	10/800,371
				<i>Filing Date</i>	March 12, 2004
				<i>First Named Inventor</i>	Bai, Yu Sheng
				<i>Art Unit</i>	To Be Assigned
				<i>Examiner Name</i>	To Be Assigned
Sheet	2	of	2	<i>Attorney Docket Number</i>	021822-000500US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	0002	Murakami, M. et al. (1996). "A Remote Supervisory System Based on Subcarrier Overmodulation for Submarine Amplifier Systems," Journal of Lightwave Technology 14(5): 671-677.		T ²
	0003	Sadot, D. and Kazovsky, L.G. (1997). "Power Budget Optimization of STARNET II: An Optically Amplified Direct-Detection WDM Network with Subcarrier Control," Journal of Lightwave Technology, 15(9): 1629-1635.		
	0004	Su, S.F. and Olshansky, R. (1993). "Performance of Multiple Access WDM Networks with Subcarrier Multiplexed Control Channels," Journal of Lightwave Technology, 11(5/6) 1028-1033.		

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